

## Message Text

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ACTION IO-11

INFO OCT-01 EUR-12 ISO-00 L-03 TRSE-00 ABF-01 OMB-01

CIAE-00 COME-00 EB-07 INR-07 LAB-04 NSAE-00 SIL-01

AF-06 ARA-06 EA-07 NEA-10 PA-01 PRS-01 USIA-06 /085 W

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R 091244Z APR 76

FM USMISSION GENEVA

TO SECSTATE WASHDC 9270

INFO AMEMBASSY BERN

USMISSION EC BRUSSELS

USMISSION NATO BRUSSELS

USMISSION USUN NY

USMISSION OECD PARIS

USMISSION IAEA VIENNA

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E.O. 11652: N/A

TAGS: AORG APER UN

SUBJECT: RIGHT OF INTERNATIONAL CIVIL SERVANTS TO STRIKE

REF: IAEA VIENNA 2790 (NOTAL)

1. AT OUTSET OF ACC MEETING GENEVA APRIL 7-9 (WHICH SPENT HALF OF ITS ALLOTTED TIME ON GENEVA DISPUTE OF G-LEVEL SALARY SCALE) SYG WALDHEIM "DROPPED BOMB" IN WORDS OF USYG DAVIDSON, BY ANNOUNCING IMPORTANT REFINEMENT IN HIS VIEWS ON DISCIPLINARY ACTIONS REGARDING WORK STOPPAGES.

2. DAVIDSON QUOTED WALDHEIM AS SAYING TO ACC THAT, WHILE NO ADMINISTRATIVE ACTION WOULD BE TAKEN AGAINST UN PERSONNEL FOR PARTICIPATING IN WORK STOPPAGE SO LONG AS THEY "PICKETED OUTSIDE" AND DID NOT INTERFERE WITH NORMAL OPERATIONS (SUCH AS, DAVIDSON AGREED, COMMUNICATIONS), HE RESERVED THE RIGHT TO TAKE ACTION AGAINST ANYONE

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WHO CROSSED THIS LINE OF DISTINCTION.

3. DAVIDSON THOUGHT THIS TOUGHER MESSAGE PROBABLY HAS REACHED STAFF REPRESENTATIVE THROUGH SUPPORT STAFF PRESENT IN ACC MEETING, AND RECOGNIZES IT COULD PRECIPITATE REACTION AS CONSTITUTING QUALIFICATIONS TO HIS SEEMINGLY MORE GENEROUS COMMUNICATION TO STAFF WHICH HAD FACILITATED SETTLEMENT OF PALAIS STRIKE. QUESTION OF POSSIBLE DISCIPLINARY ACTION AT TIME OF PALAIS STRIKE HAD BEEN COMPLICATED, DAVIDSON EXPLAINED, BY FACT STRIKERS AS WELL AS NON-STRIKERS HAD MILED IN PALAIS CAUSING CONFUSION ABOUT WHOM TO PENALIZE WITH PAY SUSPENSION.

4. ELABORATING BRIEFLY ON THIS PROBLEM, DAVIDSON CONFIDED TO US THAT HE HAD FELT OUT ATTITUDE OF LOCAL SWISS AUTHORITIES AND HAD COME TO CONCLUSION THEY MIGHT BE CALLED UPON FOR HELP IN FUTURE STRIKE SITUATION.

5. AS TO RIGHT OF INTERNATIONAL CIVIL SERVANTS TO STRIKE, HE CONFIRMED THAT MEETING OF LEGAL ADVISORS IN VIENNA (REFTEL) HAD BEEN INCONCLUSIVE, STAFF REGULATIONS ALL BEING SILENT ONE WAY OR OTHER ON QUESTION, AND THOUGHT THAT AS PRACTICAL MATTER RIGHT TO STRIKE HAS BEEN "90 PERCENT ESTABLISHED" BY RISING CRESCENDO IN HISTORY OF SUCH STRIKES AND ACQUIESCENCE OF INTERNATIONAL ADMINISTRATIONS IN THEM. HE CITED RULINGS WITH RESPECT TO ECE STAFF IN WHICH ADMINISTRATION HAD NOT CHALLENGED AS MATTER OF PRINCIPLE RIGHT OF STAFF TO STRIKE.

6. COMMENT: WE GATHERED THAT SWISS OFFICIALS WITH WHOM DAVIDSON DISCUSSED POSSIBILITY OF RECEIVING LOCAL HELP IN FUTURE STRIKE SITUATION (PARA 4 ABOVE) WERE FROM CANTON LEVEL AND SPEAKING SOLELY ON OWN AUTHORITY. DAVIDSON INDICATED HE HAD DELIBERATELY VAGUE ABOUT SORT OF "HELP" HE ENVISAGED. GIVEN HURRIED WAY IN WHICH SUCH DECISIONS HAD TO BE REACHED IN FEBRUARY STRIKE WITH IMPERFECT CONSEQUENCES (WALDHEIM COMMUNICATION TO STAFF, FOR EXAMPLE) IT MIGHT BE PRUDENT TO EXPLORE THESE CONSIDERATIONS MORE FULLY LIMITED OFFICIAL USE

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WITH DAVIDSON AFTER HE AND OTHER UN ADMINISTRATORS HAVE REFLECTED FURTHER ABOUT EXTENT TO WHICH INTERVENTION BY LOCAL AUTHORITY WOULD BE ACCEPTABLE AND DESIRABLE. CONCLUSIONS THEY MAY HAVE DRAWN FROM GENEVA EXPERIENCE COULD HAVE SIGNIFICANT IMPLICATIONS, IT WOULD SEEM, FOR NEW YORK. DALE

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## Message Attributes

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**Disposition Date:** 28 MAY 2004  
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